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09/863,095	05/22/2001	Benjamin H. Andersen	2804.03US02	9008

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EXAMINER

ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/863,095

Applicant(s)

ANDERSEN, BENJAMIN H.

Examiner

Mohammad Ali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. The application has been examined. Claims 1-16 are pending in this Office Action.

Information Disclosure Statement

2. The reference cited in the IDS, PTO-1449, Paper No. 9, have been considered.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(e) (to a provisional application), which papers have been placed of record in the file.

Drawings

4. The drawings filed on May 22, 2001 is objected by the Draftperson under 37 CFR 1.84 or 1.152, see attached PTO form 948.

Color photographs and color drawings are acceptable only for examination purposes unless a petition filed under 37 CFR 1.84(a)(2) is granted permitting their use as acceptable drawings. In the event that applicant wishes to use the drawings currently on file as acceptable drawings, a petition must be filed for acceptance of the color photographs or color drawings as acceptable drawings. Any such petition must be accompanied by the appropriate fee set forth in 37 CFR 1.17(h), three sets of color drawings or color photographs, as appropriate, and an amendment to the first

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paragraph of the brief description of the drawings section of the specification which states:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the U.S. Patent and Trademark Office upon request and payment of the necessary fee.

Color photographs will be accepted if the conditions for accepting color drawings have been satisfied.

Appropriate correction is required.

The drawings are objected to because they fail to show necessary textual labels of features or symbols in Figs 1-6 as described in the specification. For example, placing a label, "Network System", "Database", etc, with elements 12, 22,....of Fig. 1, would give the viewer necessary detail to fully understand this element at a glance. Respectively placing a label for Figs. 2-6. A *descriptive* textual label for *each numbered element* in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office.

Appropriate correction is required.

Claim Objections

5. Claim 12 is objected to because of the following informalities: in claim 12 (page 18), line 4, the word "reply.tion" should be replaced by "reply" as examiner presumed.

Appropriate correction is required.

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Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nason et al. ('Nason' hereinafter), US Patent 6,590,592 B1 in view of Brian John Cragun ('Cragun' hereinafter), US Patent 6,177,936 B1.

With respect to claim 1,

Nason teaches a multi-level multiplexor system by which a networked browser client accesses content information over a networked computer system (see col. 20, lines 45-50) comprising:

at least one program executing on a server operably connected to the networked computer system (see col. 4, lines 60-62, Nason) that receives a service request from the networked browser client and in response packages a reply that causes the networked browser client to automatically issue a plurality of service requests to sources of content information on the networked computer system (see col. 17, lines 23-39, Fig. 1, Nason) and present responses to the plurality of service requests (see col. 17, lines 43-50, Nason) to sources of content information such that each response

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is selectively displayed as one of a series of pages of content information within a single window frame in the networked browser client (see col. 20, lines 45-53, Nason).

Nason does not explicitly indicate the "Cascaded, when series of pages in a single window".

Cragun discloses the claimed cascade (in response to the pressing cascade button, a browser displayed windows on display screen in a cascading format, see col. 14, lines 56-60, Figs. 15a-15b).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention, to combine the teachings of the cited references, because the cascade of Cragun's teachings would have allowed Nason 's system to brows multiple web pages in multiple windows in a parent-child hierarchy on a display screen, as suggested by Cragun at col. 2, lines 7-8. Cascade as taught by Cragun improves the hierarchical relationships to build and update a window-list data structure and gives user opportunity to specify browser to display window list (see col. 2, lines 9-10 and col. 10, lines 14-16, Cragun).

As to claim 2,

Nason teaches wherein the at least one program accesses at least one database operably connected to the server (see col. 17, lines 23-40, Nason) and encodes information from the at least one database into a markup language as part of the reply (see col. 5, lines 36-40, Nason).

As to claim 3,

Nason teaches wherein the networked computer system is the Internet and the server is hosting a web site accessible over the Internet (see col. 4, lines 59-67).

As to claim 4,

Nason teaches wherein the cascaded series of pages of content information are created as a layered series of iframes with each iframe having a tab indicator that controls whether that iframe is to be displayed or hidden in the layered series (see col. 4, lines 59-67, Figs. 1, 3). In the present application iframe is referred to a navigation bar, see page 11, lines 28-29.

As to claim 5,

Nason teaches wherein the tab indicator controls style sheet commands (see col. 5, lines 1-6 et seq, Nason) embedded in the markup language of the reply (see col. 5, lines 37-40, Nason).

With respect to claim 13,

Nason teaches a storage medium having stored therein instructions causing a networked browser client (see col. 4, lines 60-67) to perform the steps of:

sending a service request from a networked browser client to a networked server (see 17, lines 23-40, Nason);

receiving a packaged reply from the networked server (see col. 4, lines 59-67, Fig. 1, Nason);

issuing a plurality of server requests in response to the packaged reply from the networked server (see col. 4, lines 59-67, Fig. 1, Nason); and

displaying content information received (see col. 5, lines 7-15, Nason) in response to the plurality of service requests according to the embedded control and formatting information communicated in the packaged reply such that the content information is displayed in a series of pages with each response selectively displayable as one of a series of pages of content information within a single window frame (see col. 20, lines 44-54, Fig. 1 , Nason).

Nason does not explicitly indicate the "Cascaded, when series of pages in single window".

Cragun discloses the claimed cascaded (in response to the pressing cascade button, a browser has displayed windows on display screen in a cascading format, see col. 14, lines 56-60, Figs. 15a-15b).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention, to combine the teachings of the cited references, because the cascade of Cragun's teachings would have allowed Nason 's system to brows multiple web pages in multiple windows in a parent-child hierarchy on a display screen, as suggested by Cragun at col. 2, lines 7-8. Cascade as taught by Cragun improves the hierarchical relationships to build and update a window-list data structure and gives user opportunity to specify browser to display window list (see col. 2, lines 9-10 and col. 10, lines 14-16, Cragun).

With respect to claim 14,

Nason teaches a storage medium having stored therein instructions causing a networked server (see col. 4, lines 60-67) to perform the steps of:

receiving a service request from a networked browser client on a networked computer system (see col. 17, lines 23-42, Fig. 1, Nason); and

in response, packaging a reply containing control and formatting information as well as content information to cause the networked browser client to display a series of pages of content information associated with a plurality of responses to a plurality of service requests initiated in response to the packaged reply such that each response is selectively displayed (see col. 20, lines 43-54 et seq, Nason) as one of a series of pages of content information within a single window frame (see col. 20, lines 43-54, Fig. 3 , Nason); and

sending the packaged reply from the networked server to the networked browser client (see 17, lines 22-44, Nason).

Nason does not explicitly indicate the "Cascaded, when series of pages in single window".

Cragun discloses the claimed cascaded (in response to the pressing cascade button, a browser has displayed windows on display screen in a cascading format, see col. 14, lines 56-60, Figs. 15a-15b).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention, to combine the teachings of the cited references, because the cascade of Cragun's teachings would have allowed Nason 's system to brows multiple web pages in multiple windows in a parent-child hierarchy on a display screen, as suggested by Cragun at col. 2, lines 7-8. Cascade as taught by Cragun improves the hierarchical relationships to build and update a window-list data structure and gives user

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opportunity to specify browser to display window list (see col. 2, lines 9-10 and col. 10, lines 14-16, Cragun).

With respect to claim 15,

Nason teaches a method for establishing a stateless environment for accessing content information over a networked computer system (see col. 4, lines 60-67, Fig. 1), the method comprising the following steps:

 sending a service request from a networked browser client to a networked server (see 17, lines 22-42, Nason); and

 packaging a reply by the networked server based on an intelligent decision by the networked server whether control and formatting information (see col. 4, lines 60-67, Nason) for displaying a series of content information on the networked browser client will be managed by the networked browser client or by the networked server if the control and formatting information is large or frequently changing (see col. 17, lines 22-44 , Nason); and

 sending a packaged reply from the networked server to the networked browser client, wherein the packaged reply contains instructions within the control and formatting information (see col. 17, lines 22-44, Nason) as to whether the networked browser client or the networked server will manage the displaying of the series of content information (see col. 17, lines 22-44, Fig. 1 , Nason).

Nason does not explicitly indicate the "Cascaded, when series of pages in single window".

Cragun discloses the claimed cascaded (in response to the pressing cascade button, a browser has displayed windows on display screen in a cascading format, see col. 14, lines 56-60, Figs. 15a-15b).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention, to combine the teachings of the cited references, because the cascade of Cragun's teachings would have allowed Nason's system to brows multiple web pages in multiple windows in a parent-child hierarchy on a display screen, as suggested by Cragun at col. 2, lines 7-8. Cascade as taught by Cragun improves the hierarchical relationships to build and update a window-list data structure and gives user opportunity to specify browser to display window list (see col. 2, lines 9-10 and col. 10, lines 14-16, Cragun).

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

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Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 6-9 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Nason et al. ('Nason ' hereinafter), US Patent 6,590,592 B1.

With respect to claim 6,

Nason teaches a method for accessing content information over a networked computer system (see col. 4, lines 59-67), the method comprising the following steps:

 sending a service request from a networked browser client to a networked server (see 17, lines 22-44, Nason); and

 in response, sending a packaged reply from the networked server to the networked browser client, the packaged reply causing the networked browser client to issue a plurality of service requests from the networked browser client to content information on the networked computer system (see col. 17, lines 22-44, Fig. 1, Nason); and

 displaying the original content information (see col. 5, lines 7-16 et seq, Nason) on the networked browser client in response to the plurality of service requests such that additional service requests are not required in order to view the content information (see col. 20, lines 45-54, Fig. 3 , Nason).

As to claim 7,

Nason teaches wherein the networked computer system is the Internet and the server is hosting a web site accessible over the Internet (see col. 4, lines 59-67).

As to claim 8,

Nason teaches wherein the service request is sent to at least one database which contains control and formatting information (see col. 20, lines 35-41, Nason).

As to claim 9,

Nason teaches wherein the packaged reply consists of gathered database control (see col. 20, lines 35-41, Nason) and formatting information encoded into a markup language by the networked server for use by the networked browser client (see col. 5, lines 36-45, Nason).

With respect to claim 16,

Nason teaches a multi-level multiplexor system by which a networked browser client accesses content information over a networked computer system (see col. 20, lines 45-50) comprising:

at least one program executing on a server operably connected to the networked computer system (see col. 4, lines 60-62, Nason) that receives a service request from the networked browser client and in response packages a reply that causes the networked browser client to automatically issue a plurality of service requests to sources of content information on the networked computer system (see col. 17, lines 23-39, Fig. 1, Nason) and present responses to the plurality of service requests (see col. 17, lines 43-50, Nason) to sources of content information such that each response

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is selectively displayed as one of a series of pages of content information within a single window frame in the networked browser client (see col. 20, lines 45-53, Nason).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nason et al. ('Nason ' hereinafter), US Patent 6,590,592 B1 as applied to claims 6-9 above in view of Brian John Cragun ('Cragun' hereinafter), US Patent 6,177,936 B1.

As to claim 10,

Nason teaches wherein the packaged reply causes displaying of a series of pages of content information on the networked browser client such that each response is selectively displayed as one of a series of pages of content information within a single window frame (see col. 20, lines 44-54 , Nason).

Nason does not explicitly indicate the "Cascaded, when series of pages in a single window".

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Cragun discloses the claimed cascade (in response to the pressing cascade button, a browser has displayed windows on display screen in a cascading format, see col. 14, lines 56-60, Figs. 15a-15b).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention, to combine the teachings of the cited references, because the cascade of Cragun's teachings would have allowed Nason's system to brows multiple web pages in multiple windows in a parent-child hierarchy on a display screen, as suggested by Cragun at col. 2, lines 7-8. Cascade as taught by Cragun improves the hierarchical relationships to build and update a window-list data structure and gives user opportunity to specify browser to display window list (see col. 2, lines 9-10 and col. 10, lines 14-16, Cragun).

As to claim 11,

Nason teaches wherein the cascaded series of pages of content information are created as a layered series of iframes (see col. 17, lines 22-44, Fig. 3).

As to claim 12,

Nason teaches wherein the iframes consist of a plurality of tab indicators effecting the hiding or display of a layer of content information (see col. 17, lines 22-44, Fig. 3, Nason) by control of commands embedded in the markup language of the packaged reply. tion (see col. 5, lines 36-40, Nason).

Contact Information

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



Mohammad Ali

Patent Examiner

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MA

May 6, 2004